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Case closed in Fort Plain liquid nicotine death

Police: 18-month-old boy accidentally consumed e-cigarette ingredients

By Keshia Clukey Updated 7:10 am, Monday, April 13, 2015



IMAGE 1 OF 6

Eli James "EJ" Hotaling, 1, of Canajoharie, died Dec. 9 after swallowing liquid nicotine. ORG XMIT: q8OU2IO-xc43GF8FQSoY

Fort Plain

The investigation into the December death of an 18-month-old Montgomery County boy who drank liquid nicotine is finally closed, with Fort Plain police deeming the incident accidental.

Eli James "EJ" Hotaling, who would have turned 2 on May 17, is the first child in the country to die from accidentally swallowing the toxic ingredient in electronic cigarettes, according to the [American Academy of Pediatrics](#).

A summary of the police report released by village police Friday provides further details of the events leading up to his death.

On Dec. 9, Eli was being watched by his mother, Brenda Hotaling, and **John Kinard**, who occasionally lived at the home, while his biological mother, Alyssa Hotaling, was Christmas shopping, according to the police summary.

The **Garfield Street house** was in disarray because Brenda Hotaling's sister Belinda was in the process of moving in.

Not knowing that Eli was going to be at the house, **Belinda Hotaling** left an uncapped bottle containing a nicotine solution on a low table in the dining room, police said. She was not home during the incident.

More Information

For a brief moment, Brenda Hotaling and Kinard had their backs turned to look through boxes for a remote control and SpongeBob SquarePants DVD, unaware of the open bottle,

according to the summary.

When they looked back, Eli was holding the opaque brown bottle.

Kinard, immediately thinking Eli had drunk the solution, carried him across the street to the home of now-retired county **Undersheriff Jeff Smith** for help while Brenda Hotaling called 911, according to the report. Eli then began convulsing.

He later was pronounced dead at **Little Falls Hospital**.

According to the coroner's report, Eli died from nicotine ingestion, which caused cardiac arrhythmia.

Liquid nicotine is toxic in doses as small as a half-teaspoon, and even a small

splash of the substance on children's skin can make them very ill, according to the American Academy of Pediatrics.

The bottle Eli consumed contained a mixture of liquid nicotine and diluting liquids, which Belinda Hotaling had bought online and combined to use in her electronic cigarette, according to the police investigation.

It was labelled Heartland Vapes, 100 milligrams, police said. The company, based out of Oklahoma City, is a distributor and manufacturer of eLiquids and ingredients. On the company's website, childproof caps for brown, glass bottles like the one described by police are available for sale separately from the ingredients and containers.

The cap from Belinda Hotaling's bottle was never found, police said. According to the family it was not childproof.

After Eli's death, Gov. **Andrew Cuomo** in December signed a bill requiring child-resistant packaging on all liquid nicotine sold in the state and banning the sale of the lethal substance to those under 18.

Federal legislation mandating childproof packaging was reintroduced on Capitol Hill earlier this year and in February was unanimously approved by the **Senate Commerce Committee**, one step closer to becoming law.

Now that the case is closed, Eli's family plans on filing a lawsuit against Heartland Vapes, Alyssa Hotaling said.

"No amount of money will bring my son back," she said. "I'm hoping it will save some other kid's life."

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Lethal side of liquid nicotine

The governor has signed a childproof packaging law

By Keshia Clukey Updated 12:03 pm, Tuesday, December 30, 2014



IMAGE 1 OF 18

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Alyssa Hotaling looks at a photo collage of her son Eli James Hotaling on Tuesday, Dec. 23, 2014 in Canajoharie, N.Y. Eli died Dec. 9 after consuming liquid nicotine. (Lori Van Buren / Times Union)

Fort Plain

Every night, Brenda Hotaling relives the accidental death of her 18-month-old son.

On Dec. 9, the Fort Plain resident turned away from the boy to put on a cartoon. When she turned back, he had swallowed liquid nicotine and was on the floor.

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Eli James "EJ" Hotaling went into convulsions and never regained consciousness.

The Montgomery County boy is the first child in the country to die from accidentally swallowing the toxic ingredient in electronic cigarettes, according to the [American Academy of Pediatrics](#).

"I tried to save him and I couldn't," Hotaling said, breaking down in tears. "It's a recurring nightmare for me."

Liquid nicotine is toxic in doses as small as a half-teaspoon, and even a small splash of the substance on children's skin can make them very ill, according to the American Academy of Pediatrics.

On Monday, Gov. [Andrew Cuomo](#) signed a bill, effective immediately, requiring child-resistant packaging on all liquid nicotine sold in the state and banning the sale of the lethal substance to those under 18.

Poison control centers nationwide have seen a sharp rise in calls related to the liquid refill for the increasingly popular e-cigarettes. The number of exposures has more than doubled from 1,543 in 2013 to 3,638 as of Nov. 30,

according to the **American Association of Poison Control Centers**. More than half those reported in 2013 were in children under 6 years old.

More Information

Exposure to liquid nicotine in the U.S.

Exposures reported to poison centers include having contact with the e-cigarettes and liquid nicotine, for example ingested, inhaled, absorbed by the skin or eyes.

Year Exposures

2014 3,638*

2013 1,543

2012 460

2011 271

***Through Nov. 30.**

Source: American Association of Poison Control Centers

Despite a push from health associations and some lawmakers, there is no federal law mandating childproof packaging. Legislation is expected to be reintroduced on Capitol Hill in early January.

Two weeks after the death of Eli, Alyssa Hotaling, the boy's birth mother, still sleeps with his favorite blanket, and said she wakes up thinking he'll be there. "I still cry every day," the Cobleskill resident said. "It's not getting any easier."

By all accounts, Eli was a normal, bright-eyed toddler. His

nickname was "Monster," Alyssa Hotaling said, smiling. "He was a sweet, fun and amazing little baby."

"He was a very happy little ball of light," said Pattie Ware, Alyssa Hotaling's cousin, who often took care of Eli. "Anywhere he went, all he'd have to do is this little crooked smile and everybody just laughed."

After his biological father decided not to be part of Eli's life, Brenda Hotaling stepped in and Eli called her "Dada," Alyssa Hotaling said. She and Eli took Brenda's last name.

The day Eli died, Alyssa Hotaling dropped him off at her aunt's house so Brenda Hotaling could pick him up after work.

Brenda Hotaling said she and her sister, **Belinda Hotaling**, had just moved into the home on Garfield Street, and there were boxes everywhere. Alyssa Hotaling said the liquid nicotine, which belonged to Belinda, had been accidentally been packed into the wrong box during the move.

When Brenda Hotaling brought Eli to her new home, Eli asked for his favorite show, "SpongeBob SquarePants," saying "Bob, Bob, Bob."

When she turned around from putting the show on, Eli was lying on the floor, convulsing, and his eyes were rolling back in his head, she said.

She made Eli vomit to get the poison out and then called 911. Emergency medical personnel worked on him for what seemed like a long time before the ambulance took him to **Little Falls Hospital**, Brenda Hotaling said, adding "I kept on asking if he's breathing."

Around 6 p.m. Eli was pronounced dead. Fort Plain police deemed the cause of death accidental.

Nicotine, a powerful stimulant extracted from tobacco, is mixed with flavors, coloring and other chemicals to create liquid nicotine, which is then loaded into electronic cigarettes to be vaporized and inhaled by the user. The exact ingredients are unknown because e-cigarettes are unregulated.

Refill cartridges can come prefilled, while others require the user to fill the cartridges with liquid nicotine, which is sold in bottles. Small 15-milliliter bottles can contain as much as 540 milligrams of nicotine — enough to kill four small children, according to the American Academy of Pediatrics.

The state Legislature passed a bill in June mandating childproof packaging. Cuomo received the measure earlier this month. Monday was the deadline to sign it into law.

"They always wait way too long to sign anything," said Alyssa Hotaling. "They

should have fixed it long before this ... It takes my son to die before anything can be done. No parent should ever, ever have to bury their child."

Brenda Hotaling said she thinks only the pre-filled cartridges should be sold and not liquid nicotine, a restriction that would have saved Eli.

"I loved that little man like he was my own son," she said. "I was looking forward to Christmas and holidays and watching him grow. It's just an accident that shouldn't have happened, a horrible accident."

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